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Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Albania, Andorra,* Argentina,* Armenia,* Austria,* Azerbaijan,* Belgium, Bolivia (Plurinational State of), Bosnia and Herzegovina,* Brazil,* Bulgaria,* Chile,* Costa Rica,* Croatia,* Cuba, Cyprus,* Denmark,* France, Georgia, Germany, Greece,* Haiti,* Honduras,* Hungary,* Ireland,* Italy,* Latvia, Lithuania,* Luxembourg,* Malta,* Monaco,* Montenegro,* Netherlands, Panama, Paraguay, Philippines, Poland,* Portugal, Republic of Moldova,* Romania,* Slovakia,* Slovenia, State of Palestine,* Switzerland, Thailand,* Tunisia,* Ukraine,* Uruguay,* Viet Nam: draft resolution

32/... The right to education

The Human Rights Council,

Reaffirming its resolution 8/4 of 18 June 2008 and recalling all other Human Rights Council resolutions on the right to education, the most recent of which is resolution 29/7 of 2 July 2015, and the resolutions adopted by the Commission on Human Rights on the subject,

Reaffirming also the human right of everyone to education, which is enshrined in, inter alia, the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Rights of the Child, the Convention on the Elimination of All Forms of Discrimination against Women, the International Convention on the Elimination of All Forms of Racial Discrimination, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the Convention on the Rights of Persons with Disabilities, the Convention against Discrimination in Education of the United Nations Educational, Scientific and Cultural Organization, and other relevant international instruments,

Bearing in mind the United Nations Declaration on Human Rights Education and Training and the World Programme for Human Rights Education,

* State not a member of the Human Rights Council.

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Welcoming the progress made in achieving the Education for All goals and the related Millennium Development Goals, while recognizing the need to accelerate efforts to complete the unfinished agenda of the Millennium Development Goals,

Recalling the Incheon Declaration: Education 2030: Towards inclusive and equitable quality education and lifelong learning for all,[1] adopted at the World Education Forum 2015, held in Incheon, Republic of Korea,

Welcoming the adoption by the General Assembly of the 2030 Agenda for Sustainable Development,[2] which includes the goal of ensuring inclusive and equitable quality education and promoting lifelong learning opportunities for all,

Reiterating the commitment to strengthen the means of implementation in order to ensure the full realization of the Sustainable Development Goals, and in this context welcoming the adoption of the Education 2030 Framework For Action, which aims at mobilizing all countries and partners and provides guidance for achieving Sustainable Development Goal 4 on education, and its targets,

Strongly condemning the recurring attacks on students, teachers, schools and universities, which impair the realization of the right to education and cause severe and long-lasting harm to individuals and societies,

Recognizing the negative impact of conflict and crisis on the full realization of the right to education, and that a large proportion of the world's out-of-school population lives in conflict-affected areas, as noted in the Incheon Declaration,

Deeply concerned that, according to the United Nations Educational, Scientific and Cultural Organization, despite all efforts by Governments, civil society and the international community and the tremendous progress achieved between 2000 and 2015, the Education for All goals and the education-related Millennium Development Goals have not been achieved globally,

Reiterating the contribution that access to new information and communications technology, including the Internet, plays in facilitating the realization of the right to education and in promoting inclusive quality education,

Recalling the Paris Open Educational Resources Declaration adopted on 22 June 2012 at the World Open Educational Resources Congress of the United Nations Educational, Scientific and Cultural Organization,

Recognizing that factors such as the digital divide, disparities in access to the Internet and other information and communications technology, infrastructure constraints, marginalization and exclusion, as well as challenges relating to the quality and recognition of degrees and diplomas can limit the utilization of the full potential of information and communications technology in contributing to the realization of the right to education,

Welcoming the steps taken to implement the right to education, such as the enactment of appropriate legislation, adjudication by national courts, the development of national indicators and ensuring justiciability of this right,

Aware of the role that communications procedures can play to promote the justiciability of the right to education,

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[1] General Assembly resolution 70/135, para. 32.

[2] General Assembly resolution 70/1.

1. *Calls upon* all States to take all measures to implement Human Rights Council resolutions on the right to education with a view to ensuring the full realization of this right for all;

2. *Urges* all States to give full effect to the right to education by, inter alia, complying with their obligations to respect, protect and fulfil the right to education by all appropriate means, including by taking measures, such as:

(*a*) Addressing issues of access, quality and equity in the use of information and communications technology in education, including in order to bridge the digital divide;

(*b*) Creating an enabling policy environment for drawing on digital technologies that can serve as valuable tools in the delivery of education;

(*c*) Building the capacity of teachers to use digital technologies while retaining their freedom concerning pedagogical approaches;

(*d*) Assessing the quality of education, including online or Internet education and certification, including massive open online courses, and taking appropriate remedial or other action to address policies or practices that prevent the enjoyment of the right to education by, inter alia, engaging with existing national human rights mechanisms, parliamentarians and civil society;

(*e*) Putting in place a regulatory framework for education providers, including those operating independently or in partnership with States, guided by international human rights obligations, that establishes, inter alia, minimum norms and standards for the creation and operation of educational services, addresses any negative impacts of the commercialization of education, and strengthens access to appropriate remedies and reparation for victims of violations of the right to education;

(*f*) Encouraging the availability of educational resources in various languages, including in the implementation of information and communications technologies in education;

3. *Also urges* all States to expand educational opportunities for all without discrimination, recognizing the significant importance of investment in public education to the maximum of available resources, to increase and improve domestic and external financing for education as affirmed in the Incheon Declaration and the Education 2030 Framework for Action, to ensure that education policies and programmes are consistent with human rights standards and principles, including those laid down in the Universal Declaration of Human Rights and in relevant international human rights instruments, and to strengthen engagement with all relevant stakeholders, including communities, local actors and civil society, to contribute to education as a public good;

4. *Further urges* all States to regulate and monitor education providers and to hold accountable those whose practices have a negative impact on the enjoyment of the right to education, and to support research and awareness-raising activities to better understand the wide-ranging impact of the commercialization of education on the enjoyment of the right to education;

5. *Welcomes*:

(*a*) The work of the Special Rapporteur on the right to education, and takes note of his latest report, on issues and challenges to the right to education in the digital age, with a focus on higher education;[1]

[1] A/HRC/32/37.

(*b*) The work of the United Nations human rights treaty bodies and special procedures in the promotion of the right to education, and the work undertaken by the Office of the United Nations High Commissioner for Human Rights in the promotion of the right to education at the country, regional and headquarters levels;

(*c*) The contribution of the United Nations Children's Fund, the United Nations Educational, Scientific and Cultural Organization and other relevant bodies towards attaining the goals of the Education for All agenda and education-related Millennium Development Goals;

6. *Calls upon* States to implement the 2030 Agenda for Sustainable Development, including Goal 4;

7. *Reaffirms* the obligations and commitments to take steps, individually and through international assistance and cooperation, especially economic and technical, to the maximum of available resources, with a view to achieving progressively the full realization of the right to education by all appropriate means, including in particular the adoption of legislative measures;

8. *Calls upon* States to take all necessary measures, including sufficient budgetary allocations, to ensure inclusive, equitable and non-discriminatory quality education, and to promote learning opportunities for all, paying particular attention to girls, marginalized children and persons with disabilities;

9. *Stresses* the importance of international cooperation, including financial assistance and exchange of good practices, as well as technical cooperation, capacity-building and technology transfer on mutually agreed terms, in the realization of the right to education, including through the use of information and communications technology;

10. *Calls upon* States to continue to make efforts to strengthen the protection of preschools, schools and universities against attacks;

11. *Encourages* efforts to provide safe, inclusive and enabling learning environments and quality education for all within an appropriate time frame, including higher education in humanitarian emergencies and conflict situations;

12. *Encourages* States to promote human rights education in accordance with the United Nations Declaration on Human Rights Education and Training and the World Programme for Human Rights Education as a means of contributing to the prevention of human rights violations and conflict;

13. *Encourages* all States to measure progress in the realization of the right to education, such as by developing national indicators as an important tool for the realization of the right to education and for policy formulation, impact assessment and transparency;

14. *Calls upon* States to accelerate efforts to eliminate gender-based discrimination and all forms of violence in schools and other educational settings, and to realize gender equality and the right to education for all;

15. *Acknowledges* the role that communications procedures can play to promote the justiciability of the right to education, and in this regard calls upon all States that have not yet signed and ratified the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights to consider doing so as a matter of priority;

16. *Encourages* the High Commissioner, the treaty bodies, the special procedures of the Human Rights Council and other relevant United Nations bodies and mechanisms, specialized agencies, funds and programmes, within their respective mandates, to continue their efforts to promote the full realization of the right to education worldwide and to

enhance their cooperation in this regard, including by enhancing technical assistance to Governments;

17. *Stresses* the importance of the contribution of national human rights institutions, civil society, including non-governmental organizations, and parliamentarians to the realization of the right to education, including through cooperation with the Special Rapporteur on the right to education;

18. *Decides* to remain seized of the matter.